

# GEORGIA SECRETARY OF STATE

## ADMINISTRATIVE POLICIES AND PROCEDURES

<b>POLICY:</b> Ethics Policy	<b>NUMBER:</b> 1.25-40
<b>EFFECTIVE DATE:</b> February 1, 2007	<b>PAGE</b> 1 OF 9
<b>COMPLIES WITH:</b> State of Georgia Code of Ethics for Government Service; Rules of the State Personnel Board	<b>REVISED:</b>

- I. **PURPOSE:** The purpose of this policy is to establish general guidelines governing employees' conduct to ensure that employees avoid any conduct which might undermine the public trust—whether the conduct is unethical **or** lends itself to such an appearance.
- II. **APPLICABILITY:** This policy is applicable to all employees of the Georgia Secretary of State.

III. **POLICY**

Employees are required to observe high moral and ethical standards in official relationships and conduct while on the job in compliance with Federal and State laws, the State of Georgia Code of Ethics for Government Service (see attachment #1), Rules of the State Personnel Board, and Department policies.

Written guidelines that are explicit in covering all phases of an employee's conduct are not possible. This policy provides general guidance and some specific examples that establish a framework of principles to assist employees in performing their job in a professional manner.

The Agency reserves the right to take appropriate disciplinary action, to decline to appoint or promote an applicant/employee, and to reassign an employee in order to avoid or eliminate the appearance of conflict of interest based on employee/employee or employee/client relationships.

Employees must comply with the conditions of employment specified in laws, rules, policies and the State of Georgia Code of Ethics for Government Service that are applicable to all employees. Examples include but are not limited to:

- A. Personal appearance and appropriate dress. (Refer to Policy 1.25-41).
- B. Professional relationships with co-workers and supervisors. Seeking,

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accepting and completing assignments within deadlines. Maintaining a courteous, professional demeanor in the presence of clients, the general public, and other employees. Giving clear and accurate information in a professional manner and using appropriate telephone etiquette.

- C. Punctuality in reporting to work. Observing appropriate call-in procedures for late arrival and/or absence. Observing provisions of the Fair Labor Standards Act. Observing policies on break and lunch period. Using work time for work related activity.
- D. Appropriate use of leave including timely requests and documentation when required.
- E. Observance of established policies on health, safety, security and sanitation. Notification to supervisors of circumstances or situations that present potential health hazards.

#### **IV. Use of Privileged or Confidential Information and State Property**

Employees will use confidential information only for official or legal purposes, and not for personal or illegal advantage. Confidential information acquired in the course of employment will be disclosed only on a need-to-know basis and only upon proper authorization.

Release of Information: Privileged or confidential information (e.g., contract bids, certain financial personnel, or client information, etc.) is to be released only by authorized SOS persons. The release of any privileged or confidential information, financial or otherwise, is not allowed without proper authorization. Any unauthorized use of said information is prohibited.

Use of Computer Information: Use of computers to obtain information concerning clients, other employees, or third parties for non-work related reasons is strictly prohibited.

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Employees are responsible for reporting suspected criminal or administrative misconduct including fraud, waste, and abuse relating to any State program or operation. Negligent use and/or destruction of State property are prohibited.

### **V. Telephone and Internet Use**

- A. Employees are prohibited from using state phones for any personal use, except in the case of an emergency. Personal long distance calls are also prohibited.
- B. State provided internet access is intended for public business. Employee use of the internet may be monitored and recorded. Under no circumstances is the state internet to be used for pornographic, obscene or other improper purposes. An employee violating this policy may be subject to immediate termination.

### **VI. Gifts and Gratuities**

All employees are prohibited from accepting gifts with a value that exceeds \$25.00

**Gifts.** A gift is defined as anything of value exceeding \$25.00.

All employees and the employee's family members may not accept any gift from anyone that the employee or the agency interacts with on official state business **or from any prohibited source**. Gifts include, but are not limited to,

- Food (including meals)
- Lodging
- Personal Services

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- Gratuities
- Subscriptions
- Memberships
- Trips
- Loans
- Advances
- Tickets (tickets to a series of events, such as sporting events or concert series should be calculated as the total cost of the series)

**Expenses Paid by Individual/Entity other than the Office of the Secretary of State.** If an individual, another agency, or private entity of any type is offering to pay the cost of training related to the employee's job, the employee must file a written request with the division director. This request should be filed at least two (2) weeks in advance of said training or sooner if possible. The request should include the approximate total cost, the specific costs to be covered, the name and company/agency/entity seeking to pay such costs and the specific nature of the relationship between the Secretary of State's Office and said individual, company, agency, entity. Additionally, upon completion of the training paid for by this outside individual/entity, the employee should file a report detailing the specific amount of the costs covered. This report is to be filed with the Division Director within thirty (30) days of completion of said training/travel.

**Prohibited Source.** A Prohibited Source is any person, business or entity that the involved employee knows or should know is seeking official action from the agency; is seeking to do or is doing business with the agency; represents a person who is seeking official action from the agency or is seeking to do or is doing business with the agency; has interests that may be affected by the performance or non-performance of official duties of the employee.

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### VII. Lobbyists and Family

- A. **One-Year Lobbying Prohibition.** For a period of one (1) year following the date of break of service from the agency, no employee shall participate in any contract with this agency in a managerial, entrepreneurial or consulting capacity.

For purposes of this section, "consulting" shall include, but not be limited to, advising any person doing business with the agency or seeking to do business with this agency (whether as a prime contractor or subcontractor) regarding the meaning and application of agency rules and regulations, the administration of which were a part of the official responsibility of the employee before his/her separation from employment. In addition, no employee shall, after employment separation with the agency, knowingly make, with the intent to influence, any communication to or appearance before any department, board or other authority of the agency in connection with a particular matter in which:

- the agency has a direct or substantial interest: and
- such person knows or reasonably should know was under his or her official responsibility as such employee before the termination of his or her employment.

Further, no employee shall, for a period of one (1) year following employment separation, be involved in any way in activities to attempt to influence the outcome of any matter pending within this agency or affecting this agency.

The restrictions set forth in this section shall be in effect for a period of one (1) year following the separation date of the employee.

- B. No employee shall advocate for or cause, directly or indirectly, the hiring, advancement, promotion, or transfer of a member of his or her

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family to any office or position with this agency.

### **VIII. Political Activities**

All personnel are governed by state law as it relates to political activities. Employees are prohibited from soliciting or accepting any campaign contributions in a government building or office. Employees are permitted to express their opinions on political subjects and candidates and take an active part in political campaigns outside of working hours. Employees are strongly encouraged to exercise the right to vote.

### **IX. Conduct and Behavior**

A. Employees will treat supervisors, subordinate staff, co-workers, customers and members of the general public with respect and dignity. SOS will not tolerate acts or threatened acts of violence. Reports of threats or acts of violence will be taken seriously and thoroughly investigated by management. Examples of prohibited behavior are:

- Threatening, abusive, or profane language or written material;
- Argumentative behavior, whether directed toward a supervisor, client, co-worker, or any other party while on duty or while acting under color of office;
- Fighting; and
- Unprofessional behavior such as sexual-related conversations, inappropriate physical contact with another employee, racial or ethnic jokes and slurs, and other verbal or physical conduct of an offensive nature.

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- B. Employees are required to cooperate and provide assistance, when appropriate, with any type of investigation regarding alleged criminal or administrative misconduct involving the business of this agency. This includes activities such as cooperating in interviews, answering questions related to the performance of official duties and conduct while on duty, producing requested documents, handwriting samples and polygraph examinations.
- C. Employees will not tape record conversations at work unless such conversations are work-related and specifically approved, in advance, by the SOS, the Deputy SOS, or the IG. Employees in certain jobs, such as those involving investigations, will be authorized to tape record conversations when necessary and appropriate.
- D. No employee shall be disciplined for failure to make a statement written or other where the statement(s) could be incriminating unless the employee has been given the following Garrity admonition:
- The investigation is administrative, not criminal,
  - The answers are to be used administratively not criminally,
  - The officer or employee must be ordered to answer the questions,
  - Questions are specifically, narrowly, and directly worded to determine fitness for duty,
  - The officer or employee is subject to disciplinary action if they fail or refuse to answer the questions or provide the information.

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Employees are not to engage in activities other than official business during working hours.

Employees are prohibited from falsifying records (i.e., time cards, sign-in/out sheets, case management and/or client records) or any other documents prepared during the course of business.

Employees are not authorized to carry weapons, (e.g., knives, firearms or explosive devices) while at work. Exceptions include employees carrying firearms because it is related to their job and is specifically required as a condition of employment, and is approved by the SOS, the DSOS, or the IG.

H. Possession or consumption of alcohol or illegal drugs; and/or reporting to work or being on duty while under the influence of drugs or alcohol is prohibited.

I. Employees are prohibited from involvement in official activities in which a client/applicant/recipient of SOS services or financial assistance is a relative, or in-law. Employees are prohibited from involvement in official activities in which a client/applicant/recipient of SOS services or financial assistance is a personal acquaintance when the relationship creates a conflict or perception of a conflict of interest. Employees are required to report such circumstances to their supervisors to avoid the appearance of giving unjustified preference or conflict of interest.

J. Employees must conduct themselves in a positive and courteous manner toward clients/customers/co-workers. Mistreatment of clients/customers/co-workers in any form is a matter of concern at all supervisor levels and will not be tolerated.



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### X. Penalties

Employees who violate these policies are subject to disciplinary action up to and including termination.

ADOPTED January 25, 2007  
Date



Karen C. Handel  
Secretary of State

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